

**UNITED STATES OF AMERICA,** )  
 )  
 )  
**vs.** ) **CRIMINAL ACTION NO. 10-00260-KD**  
 )  
 )  
**JUDSON HAYWARD BURFORD, JR.,** )  
 )  
 )  
**Defendant.** )

This action is before the Court on *sua sponte* review. On May 27, 2011, defendant Judson Hayward Burford, Jr. was sentenced pursuant to 18 U.S.C. § 924(e). The Court determined that the enhancement under 18 U.S.C. § 924(e)(1) applied. The Court considered two prior violent felonies. Upon reconsideration, the Court finds that 18 U.S.C. § 924(e) requires a finding of three previous convictions for a violent felony or a serious drug offense. Thus, the judgment entered May 27, 2011 (doc. 30) is vacated for clear error. Fed. R. Crim. P. 35(a).

The defendant shall remain in custody pending sentencing.

**DONE** and **ORDERED** this the 31st day of May, 2011.

**/s/ Kristi K. DuBose**  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**